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Amendment No. 2 to HB0155

**Bittle
Signature of Sponsor**

AMEND Senate Bill No. 620

House Bill No. 155*

by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 65, is amended by adding the following language as a new, appropriately designated chapter:

Section 65-37-101. (a) Notwithstanding any provision of law to the contrary, any municipal electric company, incumbent local exchange carrier, competing local exchange carrier, inter-exchange carrier or cable television service provider is authorized to construct and maintain electric wires, transmission lines, telephone lines, cable transmission facilities or broadband cable over and under the railroad tracks of any railroad company operating within this state when such action is deemed necessary or advisable in promoting the health, welfare and safety of the citizens served by such provider; provided that such electric wires, transmission lines, telephone lines, cable transmission facilities or broadband cable be placed in such manner as to do as little injury to the property of the railroad company as possible and that such electric wires, transmission lines, telephone lines, cable transmission facilities or broadband cable be constructed and maintained in accordance with the provisions of § 65-12-113.

(b) A railroad company may charge a fee not to exceed three hundred fifty dollars (\$350) for the privilege of constructing electric wires, transmission lines, telephone lines, cable transmission facilities or broadband cable pursuant to the provisions of subsection (a).

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SECTION 2. This act shall take effect upon becoming a law, the public welfare
requiring it.